

REMARKS

Summary of the Office Action

Claims 1-19 are considered in the Office action.

Claims 1 and 11 have been rejected under 35 U.S.C. § 102(e) as anticipated by Kerschner et al. U.S. Patent No. 5,995,243 (“Kerschner”).

Claims 1-2 and 11-12 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe U.S. Patent No. 4,831,458 (“Watanabe”) in view of Kerschner.

Claims 3 and 13 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and Falk U.S. Patent No. 6,141,120 (“Falk”).

Claims 4-5 and 14-15 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and “well known prior art.”

Claims 6 and 16 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner, Horowitz et al U.S. Patent No. 4,525,071 (“Horowitz”) and Gray et al U.S. Patent No. 6,028,681 (“Gray”).

Claims 7 and 17 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner, Horowitz, Gray and “well known prior art.”

Claims 8 and 18 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and Horowitz.

Claims 9 and 19 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and Gray.

Claim 10 has been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner, Horowitz and “well known prior art.”

Reply to § 102(e) Rejections

Claims 1 and 11 have been rejected under § 102(e) as anticipated by Kerschner. The claimed invention recites methods and apparatus for operating or for use with a scanner. In particular, the claimed methods include affixing a calibration target to a scanning surface of the scanner, receiving a user-supplied calibration selection, and based on the user-supplied calibration selection, selectively calibrating or not calibrating the scanner with the calibration target during a normal scan of an object. The claimed apparatus include a calibration target, means for attaching the calibration

target proximate to a scanning surface of the scanner, means for receiving a user-supplied calibration selection, and means for selectively calibrating or not calibrating the scanner with the calibration target during a normal scan of an object based on the user-supplied calibration selection. Kerschner does not describe or suggest the claimed methods or apparatus that selectively calibrate or not calibrate a scanner during a normal scan of an object.

As the Examiner has stated, Kerschner describes a system in which calibration is part of the normal scan operation, and occurs each time a scan occurs. Thus, Kerschner points away from the claimed invention by describing a system in which scanner calibration occurs non-selectively during each scan operation. Because Kerschner does not describe the claimed invention, and in fact points away from the claimed invention, applicant respectfully requests that the § 102(e) rejections of claims 1 and 11 be withdrawn.

Reply to § 103(a) Rejections

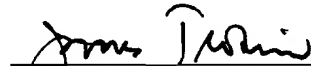
Claims 1-19 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe and Kerschner, and various combinations of Falk, Horowitz, Gray and “well known prior art.” As described above, in light of the Examiner’s interpretation of Kerschner, that reference actually points away from the claimed invention by describing a system in which scanner calibration occurs non-selectively during each scan operation. Further, for all of the reasons stated in applicant’s reply to the 17 November 2005 Office action, Watanabe also does not describe or suggest the claimed invention.

Accordingly, because neither Watanabe nor Kerschner, alone or combined, describe or suggest the claimed invention, applicant respectfully requests that the § 103(a) rejections of independent claims 1 and 11 be withdrawn. Because all other claims depend from claims 1 and 11, applicant respectfully requests that the § 103(a) rejections of claims 1-19 be withdrawn.

Conclusion

For the reasons stated above, applicant submits that this application, including claims 1-19, is allowable. Applicant therefore respectfully requests that the Examiner allow this application.

Respectfully submitted,



James Trosino
Registration No. 39,862
Attorney for Applicant